

REMARKS

Independent Claim 24 is amended to indicate that the absorbent article comprises a non-crosslinked reaction product of cellulose fibers and a partially neutralized carboxylic acid odor control agent reacted in the presence of heat to cause dehydration. In other words, the claim requires a dehydration reaction. This amendment is supported on pages 7-9 of the specification.

Claim 24 is further amended to indicate that the carboxylic acid odor control agent is selected from the group consisting of a partially neutralized HMCA (hydroxyl multi-carboxylic acid), a partially neutralized PCA (poly-carboxylic acid) and combinations thereof. This amendment is supported on page 10 of the specification, and former Claim 39.

Dependent Claims 25, 26, 42 and 49-52 have been amended to include language consistent with the amended independent claim. Dependent Claim 39 has been canceled.

The Examiner rejected Claims 24-28, 30, 32-35, 40, 43-45 and 52-53 under 35 U.S.C. §102(b) as anticipated by European Patent Application 0,311,344 (Jordan et al.). This rejection is respectfully traversed. As to independent Claim 24, Jordan et al. does not disclose a reaction product of cellulose fibers and a partially neutralized carboxylic acid odor control agent, as would be obtained by reacting the ingredients in the presence of heat to cause dehydration. Jordan et al. does not disclose a process or a set of conditions that would lead to this result.

The Examiner rejected Claims 24-28, 30, 32-35, 37, 40 and 52 under 35 U.S.C. §102(b) as anticipated by U.S. Patent 5,137,537 (Herron et al.). This rejection is respectfully traversed. As to independent Claim 24, Herron et al. does not disclose a non-crosslinked reaction product of cellulose fibers and a partially neutralized carboxylic acid odor control agent. Herron et al. does not disclose a process or set of conditions that would lead to this result. The disclosed process uses a catalyst and forms a crosslinked product. As further explained below, Herron et al. does not disclose an odor control system.

The Examiner rejected Claims 29, 31, 36-38, 41-42 and 49-51 under 35 U.S.C. §103(a) as obvious over Jordan et al. This rejection is respectfully traversed. As to independent Claim 24, Jordan et al. does not suggest a reaction product of cellulose fibers and a partially neutralized carboxylic acid odor control agent, as would be obtained by reacting the ingredients in the presence of heat to cause dehydration. Jordan et al. does not suggest a process or a set of conditions that would lead to this result. The rejected claims depend from Claim 24, and are patentable for at least the same reasons.

The Examiner rejected Claims 29, 31, 36, 38, 41-45, 49-51 and 53 under 35 U.S.C. §103(a) as obvious over U.S. Patent 5,137,537 to Herron et al. This rejection is respectfully traversed. As to independent Claim 24, Herron et al. does not suggest a non-crosslinked reaction product of cellulose fibers and a partially neutralized carboxylic acid odor control agent, as would be obtained by reacting the ingredients in the presence of heat to cause dehydration. The reference does not suggest a process or a set of conditions that would lead to this result. To the contrary, Herron et al. describes crosslinked cellulose fibers and a process for making them, i.e., using a catalyst to cause crosslinking, (Col. 6, lines 16-19). Herron et al. thus teaches away from the invention.

Herron et al. also does not suggest an absorbent article comprising an odor control system. To the contrary, where all or substantially all of the functional units on a HMCA are reacted with adjacent cellulose fibers to cause crosslinking, there are insufficient unreacted functional units remaining to interact with odiferous compounds. In order for the absorbent article of the invention to control odor, a substantial number of functional units must remain unreacted with the cellulose fibers. The rejected claims depend from Claim 24, and are patentable for at least the same reasons.

The Examiner rejected Claims 46-48 under 35 U.S.C. §103(a) as obvious over Jordan et al. or Herron et al. in view of U.S. Patent 5,874,070 to Trinh et al. This rejection is respectfully traversed. As to independent Claim 24, neither reference (alone or in combination) suggests a non-crosslinked reaction product of cellulose fibers and a partially neutralized carboxylic acid odor control agent, as would be obtained by reacting the ingredients in the presence of heat to cause dehydration. Neither reference suggests a process or a set of conditions that would lead to this result. The rejected claims depend from Claim 24, and are patentable for at least the same reasons.

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Applicants believe that the claims as now presented are in condition for allowance. If the Examiner feels that any issues remain unresolved, then Applicants' attorney respectfully requests a telephone interview.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Maxwell J. Petersen". The signature is fluid and cursive, with the first name "Maxwell" and last name "Petersen" clearly distinguishable.

Maxwell J. Petersen
Registration No. 32,772

Pauley Petersen & Erickson
2800 West Higgins Road; Suite 365
Hoffman Estates, Illinois 60195
TEL (847) 490-1400
FAX (847) 490-1403